

\$9.9 trillion—more than double, way more than double the amount of spending that we had prior to the pandemic in 2019 and where some additional spending that was added at the time was and should have been temporary.

So those are kind of the contours of the President's budget. That is his plan. The Senate Democrats, obviously, could put that on the floor or they could come up with a different budget. But the point, very simply, is they are the majority. That is their responsibility. If they want to put a budget out, if they want to vote on a budget, put a budget on the floor. We are happy to vote on it. We would be happy to offer amendments to it, and they would be amendments that would reflect the priorities that we have on our side, which call for less spending, less government, a lighter regulatory touch, and not the massive tax increases contemplated by the President's budget.

So that is just a point I wanted to clarify. As we have this conversation around the budget of whose responsibility it is to advance a budget here in the U.S. Senate, it is the job of the majority, and so far the majority has not wanted to undertake that task. Perhaps, more importantly, I don't think it probably wants to vote on the President's budget, which, as I said, adds \$17 trillion to the debt, which makes the debt at the end of that 10-year period—the 10-year window, by the way—\$50 trillion; \$50 trillion. That is what the President's budget would have us at in total debt, cumulative debt, at the end of that 10-year period, but it adds \$17 trillion during that 10-year window and increases spending from \$4.4 trillion pre-pandemic in 2019 to \$9.9 trillion. It is pretty stunning, really, but that isn't what I came to talk about here today.

RESTRICT ACT

Mr. President, I wanted to discuss something because there has been a lot of talk about TikTok in the Halls of Congress lately and I think with good reason because it is becoming increasingly clear that TikTok poses serious national security concerns.

TikTok and its parent company, ByteDance, are Chinese-owned entities with ties to the Chinese Communist Party; and after a Chinese spy balloon floated over our country a few weeks ago, I think it is obvious to everyone that the Chinese Communist Party is hostile to the interests of the United States and spies on American citizens. I can think of few better or easier ways to spy on American citizens or manipulate American public opinion than to make use of a popular app that is used by over 100 million Americans.

In the United States, of course, we have the Fourth Amendment to the Constitution to protect the data Americans provide to apps from being seized by the government, but the Chinese Communist Party has no such restraints. In fact, Chinese law requires social media and technology companies

to provide information, including individually identifiable personal information, to the Chinese Government when asked. So there is no legal framework in China to effectively protect TikTok users or users of any China-based app from having their personal information turned over to the Chinese Communist Party.

There are already concerning signs that TikTok users' personal information is not secure. It was reported last year that China-based employees of ByteDance had repeatedly accessed private data from TikTok users in the United States despite TikTok's claim to the contrary; and in December 2022, it was found that ByteDance's employees inside China used the app to obtain the locations of journalists who worked on stories highlighting TikTok's national security risks. This, obviously, has implications for Americans' personal security and privacy, and it raises troubling questions about how the Chinese Communist Party could use TikTok for its own ends whether that is using personal data to develop sources for espionage or manipulating content to advance the Communist Party's agenda.

TikTok is not the first time technology from a hostile nation has posed a serious security concern. Before there was TikTok, we had to engage in a protracted effort to remove technology from Chinese companies Huawei and ZTE from our telecommunications networks after U.S. security officials raised concerns that much of Huawei's and ZTE's equipment was built with "backdoors," giving the Chinese Communist Party access to global communications networks.

The digital age has come with enormous benefits, but it also comes with substantial new threats, not least the threat of a hostile foreign government exploiting communications technology for nefarious purposes. And that threat increases substantially when we are talking about technology, from hardware to social media apps, produced by companies in hostile nations and affiliated with hostile governments.

In recent years, a number of foreign companies in the information and communications technology space—many of them subject to the control of hostile governments—has gained significant market share. Current law provides some remedies for confronting the dangers these companies present.

For example, the Committee on Foreign Investment in the United States, or what we call CFIUS, can block attempted investments from foreign companies if these investments are determined to present a national security threat, but the authorities the Federal Government currently has were fashioned in a predigital age and, therefore, are not designed for the specific threats posed by digital technology controlled by foreign adversary nations. As a result, the Federal Government is limited in what it can do in situations like the one we currently face with TikTok.

What is needed is a comprehensive framework for responding to national security risks posed by foreign adversary-owned digital technology whether that is TikTok or some other app or mobile phone technology or internet hardware.

While CFIUS has the ability to address some risks, the reality is that the mere presence of a technology from a foreign adversary in the United States does not trigger a CFIUS review. For a tech platform that does not acquire, merge with, or invest in a U.S. company, the CFIUS review simply does not apply. For example, WeChat, the other Chinese-controlled app that President Trump sought to ban back in 2020, is, apparently, not subject to a CFIUS review. Legislation is necessary to fill this important gap in authority.

That is why earlier this month, Democrat Senator MARK WARNER, chairman of the Senate Intelligence Committee, and I introduced the Restricting the Emergence of Security Threats That Risk Information and Communications Technology Act—the long way of saying or the acronym—the RESTRICT Act, which now has the support of 18 Senators from both parties.

Our legislation would create a comprehensive process, based at the U.S. Department of Commerce, for identifying and mitigating foreign threats to information and communications technology products and services. Now, I want to emphasize that the authorities of the RESTRICT Act only apply to six foreign adversary countries: China, Russia, North Korea, Iran, Venezuela, and Cuba.

Under our bill, the Department of Commerce would review any information and communications technology product from these countries that is deemed to present a possible security threat, with an emphasis on products used in critical telecommunications infrastructure or with serious national security implications. And the Secretary of Commerce would be required to develop a range of measures to mitigate the danger posed by these products, up to and including a total ban on the product in question.

The bill would also ensure transparency by requiring the Commerce Secretary to coordinate with the Director of National Intelligence to provide declassified information on why any measures taken against foreign adversary-owned technology products were necessary in the first place. Importantly, the RESTRICT Act also requires the Secretary of Commerce to act within 180 days after initiating a review.

A common complaint about the ongoing CFIUS review of TikTok is that it has been open-ended and taken years to complete. By comparison, the RESTRICT Act requires quick action to take the necessary steps to mitigate an undue risk from technology of a foreign adversary nation.

Mr. President, there is bipartisan acknowledgement that TikTok poses a

national security threat, and the RESTRICT Act provides a framework for confronting both current and future risks. I am grateful to both Republican and Democratic colleagues for joining Senator WARNER and me to introduce this bill.

It is time to update our laws to ensure that we are able to confront the national security threats posed by foreign adversary technology. I look forward to working with colleagues from both parties in both Chambers to advance the RESTRICT Act and get it to the President's desk.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. HICKENLOOPER). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. CAPITO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

BORDER SECURITY

Mrs. CAPITO. Mr. President, I rise today to talk about a constant issue in front of the American people that has haunted, I think, and will haunt this President during his tenure in the White House. It is a subject that my Republican colleagues and I have highlighted in this Chamber—we did just several weeks ago—and this is the continued lack and disregard for border security in our country.

Last week, the White House Press Secretary said that when it comes to the Biden administration and border security:

We're going to secure the border and do the work.

Well, I wonder what it was that has found this newfound urgency at 1600 Pennsylvania Avenue. And why has it taken 785 days for the Press Secretary to acknowledge the problem?

Maybe it is the record 2.7 million migrant encounters in fiscal year 2022. Or could it be the more than 4.9 million illegal border crossings since President Biden took office? Or how about, for the first time in history, monthly apprehensions at the southern border have surpassed 150,000 for 24 consecutive months? Or that in a season when illegal border crossings are typically lower, Customs and Border Protection encounters rose 2 percent last month with heroine seizures increasing 99 percent and fentanyl seizures increasing 58 percent?

Whatever the reason—whatever the reason—I sure would like to welcome the White House to the same page that we as Republicans have been on since day one of this administration.

While my colleagues and I have been sounding constant alarms about the porousness of our border, the Biden administration has, No. 1, stopped making needed updates to our physical border system, leaving gates inoperational and open; they have halted deportations and have been inconsistent in im-

plementing effective policies that kept illegal border crossings under that 150,000 level for 4 consecutive years prior. There is no denying that this crisis is a self-manufactured crisis.

Maybe most encompassing of their priorities regarding security of our country is that the Department of Homeland Security is one of the few Agencies—and they are the ones tasked with this difficult issue—is one of the few Agencies facing an overall budget cut in the President's latest budget proposal. Remember, a budget is your priorities; it is where you want to do your work.

In an age where it seems that the President and the Congressional Democrats cannot spend enough, they decide to make room for more spending and their radical priorities by putting the Agency in charge of defending our homeland on the chopping block first. I don't know about you, but that doesn't seem like something an administration that is going to "secure the border" should be doing.

Perhaps even more alarming are the comments made by the DHS Secretary regarding their budget allotment. Secretary Mayorkas outlines six priorities in the budget summary that he claims the Agency can work to accomplish with the help of the budget. Toward the top of the list—this is the Department of Homeland Security. Toward the top of the list, "invest in climate." The second-to-last priority, "help secure the border." That is simply unacceptable, especially as migrant encounters at the southern border in fiscal year 2023—where we are in now—are already outpacing the records set in 2022.

My colleagues and I hear the Biden administration quite clear: Securing the border has not been and never will be a priority for this President or his Department of Homeland Security.

What makes this admission so devastating is that while the administration continues to balk at serious attempts to secure the southern border, countless Americans are dying at the hands of the illicit drugs that make their way into our communities through that same southern border. Last month alone, 2,282 pounds of fentanyl—which we know is lethal in extremely, extremely small doses and small amounts—and 10,333 pounds of methamphetamine were seized at the southern border. That amount of fentanyl is the equivalent to 517 million lethal doses.

Our Border Patrol is stretched unfathomably thin with very little support from the administration. There is no telling how many—the amount of drugs that are getting through undetected. I was just talking about the ones that we got.

Just last month, I spoke in this Chamber regarding a recent drug bust in my home State of West Virginia. As investigators from the U.S. Attorney's Office in the Northern District of West Virginia recovered cocaine, meth, and fentanyl, they discovered that these

deadly substances had been shipped directly through the U.S.-Mexican border to Ohio via a tractor-trailer. The connection between the southern border crisis and our addiction epidemic back home could not be any clearer. I have said it before, and I will say it again: Every State—my State—is a border State.

While President Biden and his administration continue to put confusing and often conflicting words before action, if they even take action, my colleagues and I continue to make it a concerted effort to get to the bottom of this chaos.

Just this past weekend, I joined a bipartisan, bicameral group of lawmakers to travel to Mexico City where we met—with quite lengthy meetings—with Mexico's President Lopez Obrador. While there, we held meetings on the United States security posture with regard to Mexico, the chaos at our border, the devastating impacts of fentanyl in our communities, and the violence and trafficking perpetrated by the Mexican cartels. All these issues are top concerns to us here in this country.

It is clear that Mexico needs to continue to address corruption at their ports of entry, and the President emphasized this. They need to focus on the fentanyl precursors coming from China that are coming into our country.

I am very excited and happy that we secured a commitment from President Lopez Obrador that their administration will confront China regarding fentanyl precursors being shipped into their country. This is a major step in cutting fentanyl trafficking in the United States at its source and is needed to alleviate the chaos and corruption currently happening at the border between our two countries.

There is no way to deny that both the United States and Mexico—that border has stressed our countries beyond belief. I think we serve as partners with Mexico. We need to be partners—and good partners—with Mexico to solve this problem.

We are facing historic levels of illegal immigration. We must continue to meet these challenges with urgency and a willingness to work together, and we certainly got that message conveyed to the Mexican President and a reciprocal message coming back from him and his administration.

As my Republican colleagues and I will continue to make clear today, Republicans stand for solutions and not just spending. We stand for action, and we also stand for border security.

I encourage President Biden to join us in this effort and work toward bipartisan border solutions that are effective; that support our Border Patrol officers; and that also, in the end, will save countless lives.

With that, I yield the floor.

VOTE ON GALLAGHER NOMINATION

Mrs. CAPITO. Mr. President, I ask unanimous consent that the vote on the previous issue begin immediately.